

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1-5 remain in the application. Claims 1 and 4 have been amended to define the invention more distinctly.

Claims 1 and 4 were rejected under 35 U.S.C. 103(a) as being obvious over Sexton et al. The Examiner concluded that Sexton et al. discloses the composition of the brazing filler material in which the components and ranges meet or overlap those being claimed. Accordingly, the Examiner concluded that the Sexton et al. reference establishes a *prima facie* case of obviousness.

As explained in the specification, the subject invention is directed to a nickel-based alloy brazing material that is particularly useful for brazing an EGR (exhaust gas recirculation) cooler, wherein the brazing material is capable of brazing even under the high temperature used for conventional BNi-2 brazing (1060-1120 °C). In particular, the brazing material protects the base metal from degradation and improves corrosion resistance. The brazing material has good corrosion resistance and heat resistance, and particularly resistance to oxidation and corrosion by sulfuric acid. The claimed brazing material also exhibits good wetting characteristics and can be worked at a low brazing temperature.

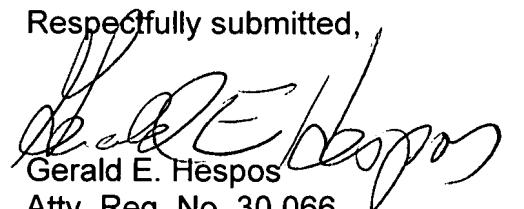
The Examiner apparently relied upon the Sexton et al. reference in view of its disclosure of a ductile brazing foil that includes "0 to about 21 atom percent chromium." Significantly, the brazing material taught by Sexton et al. also requires significant amounts of iron and boron.

The invention defined by the amended claims does not overlap with the amount of chromium taught by Sexton et al. Furthermore, the claimed invention employs neither iron nor boron. These differences are very substantial. In particular, the absence of iron from the brazing filler material defined by the amended claims results in superior corrosion resistance. Furthermore, the absence of boron from the invention defined by the amended claims results in a substantially less expensive brazing material.

There is nothing in Sexton et al. that would lead the skilled artisan to the claimed invention. Furthermore, there is nothing in the secondary reference to overcome the significant deficiencies in Sexton et al.

In view of the preceding amendments and remarks, it is submitted that the invention defined by the amended claims is directed to patentable subject matter, and allowance is solicited. Accordingly, the Examiner is urged to contact applicant's attorney at the number below.

Respectfully submitted,


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